

**STATE OF NEVADA**  
Department of Conservation & Natural Resources  
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

February 12, 2010

Herman Kishner Trust and  
Maryland Square Shopping Center, LLC  
c/o Bryan Garrie  
P.O. Box 2731  
La Jolla, CA 92038

Subject: **Groundwater Monitoring Report, 4th Quarter 2009, Maryland Square Shopping Center**  
Facility: Al Phillips the Cleaner (former)  
3661 S. Maryland Pkwy  
Las Vegas, NV  
NDEP ID#: **H-000086**

Dear Mr. Garrie:

The Nevada Division of Environmental Protection (NDEP) has reviewed the ***Groundwater Monitoring Report for 4th Quarter 2009*** provided via e-mail on January 19, 2010 by the environmental consultant for Maryland Square Shopping Center, LLC (MS LLC), Converse Consultants (Converse), with the hard copy received by the NDEP on January 21, 2010. The report was dated January 13, 2010.

**NDEP Comments**

The NDEP notes that results of the statistical trend tests show that concentrations of tetrachloroethylene (PCE) are increasing (statistical significance taken at 90% confidence level) in monitoring wells MW-5 and MW-6, which are located about 100 feet downgradient of the former dry cleaners on S. Maryland Parkway. Concentrations of PCE were also noted as increasing in well MW-27, which lies adjacent to the golf course and is more than 3,000 feet downgradient from the former dry cleaners.

The NDEP notes that concentrations of PCE in soil at the site and downgradient of the site in groundwater warrant corrective action (Nevada Administrative Code 445A.227 and 445A.22725). As noted in the May 4, 2009 complaint filed in United State District Court by the Nevada State Attorney General's office against MS LLC and other Defendants, the NDEP is seeking injunctive relief to address existing soil and groundwater contamination, as well as past costs for interim actions taken by the NDEP.

**NDEP Requirements**

1. Please continue to follow the agreed-upon sampling frequency for the monitoring wells.



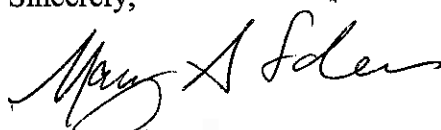
Sampling Frequency	Monitoring Wells
Discontinue	MW-11, MW-4
Annual	MW-3, MW-7, MW-8, MW-10, MW-12, MW-15, MW-16, MW-21, <b>MW-22</b> , MW-24
Semi-annual	MW-1, MW-2, MW-5, MW-6, MW-9, MW-13, MW-14, MW-17, MW-28, MW-29
Quarterly	MW-18, MW-19, MW-20, MW-23, MW-25, MW-26, MW-27, MW-30; MW-31; MW-32, MW-33

- Please continue to conduct the statistical trend analysis and include results in the quarterly reports.
- Please continue to provide electronic copies (pdf file) of all reports submitted to the NDEP, so that the NDEP can post these on the Maryland Square website: <http://www.ndep.nv.gov/pce/foia.htm>. Submittal of a "print-to-pdf" file is appreciated, because this generates a smaller file than does a scanned pdf file.
- Unless a schedule modification is agreed to by the NDEP, please provide future quarterly reports on the following schedule:

Groundwater Monitoring Report for First Quarter, 2010	<b>April 19, 2010</b>
Groundwater Monitoring Report for Second Quarter, 2010	<b>July 23, 2010</b>
Groundwater Monitoring Report for Third Quarter, 2010	<b>October 22, 2010</b>

If you have any questions or require additional information regarding this letter, contact me by telephone at (775) 687-9496 or e-mail at [msiders@ndep.nv.gov](mailto:msiders@ndep.nv.gov).

Sincerely,



Mary A. Siders, Ph.D.  
Bureau of Corrective Actions  
Nevada Division of Environmental Protection  
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Mr. Bryan Garrie  
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